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|   |                                      |                                 |  |
|---|--------------------------------------|---------------------------------|--|
| CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8   |                                      |                                 |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date: |                                      |                                 |  |
| Date: May 17, 2004  | Name: Heidi A. Dare, Reg. No. 50,775 | Signature: <i>Heidi A. Dare</i> |  |

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Baker, et al.

Appln. No.: 09/943,664

Filed: August 30, 2001

For: SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

Attorney Docket No: 10466/127

Examiner: O'Hara

Art Unit: 1646

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

**Attached is/are:**

- Amendment and Request For Reconsideration  
 Return Receipt Postcard

**Fee calculation:**

- No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)  
 An additional filing fee has been calculated as shown below:

|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Small Entity |           | Not a Small Entity |         |           |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|---------|-----------|
|   |                                     |       |                                    |                  | Rate         | Add'l Fee | or                 | Rate    | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$9=       |           |                    | x \$18= |           |
| Indep.                                    |                                     | Minus |                                    |                  | x 43=        |           |                    | x \$86= |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$145=      |           |                    | +\$290= |           |
|   |                                     |       |                                    |                  | Total        | \$        |                    | Total   | \$        |

**Fee payment:**

- A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

*May 17, 2004*  
Date

*Heidi A. Dare*  
Heidi A. Dare (Reg. No. 50,775)

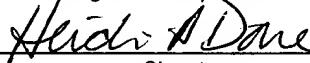


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Commissioner for Patents  
Alexandria, VA 22313-1450  
on 17 May 2004

Date of Deposit

Heidi A. Dare, Reg. No.

Name of applicant, assignee or  
Registered Representative



Signature

May 17, 2004

Date of Signature

Our Case No. 10466-127

P2548P1C8

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Baker et al. )  
Serial No. 09/943,664 ) Examiner O'Hara  
Filing Date: 8/30/2001 ) Group Art Unit No. 1646  
For SECRETED AND )  
TRANSMEMBRANE )  
POLYPEPTIDES AND NUCLEIC )  
ACIDS ENCODING THE SAME )

## AMENDMENT AND REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450 - MS Non-Fee Amendment  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed March 17, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks / Arguments** begin on page 5 of this paper.